

IN THE CIRCUIT COURT OF GARLAND COUNTY ARKANSAS
I DIVISION

JERRY L. DONALDSON

Vs.

CASE NO. CV-16-349-I

THE KANSAS CITY SOUTHERN RAILWAY COMPANY

FILED

7:10 PM APR 12 2016

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PLAINTIFF

DEFENDANT

COMPLAINT

Comes now the Plaintiff, by and through his counsel, Lloyd W. "Tré" Kitchens, and for his Complaint states:

1. The Plaintiff is an individual resident of Garland County, Arkansas.
2. The Defendant is a foreign for profit corporation authorized to do business in the State of Arkansas. Service can be obtained by serving The Corporation Company at 124 West Capitol Avenue, Suite 1900, Little Rock, Arkansas 72201, in the manner prescribed by law.
3. The events complained of herein occurred in Polk County, Arkansas. This Court has jurisdiction to hear this matter and is the proper venue.
4. On or about April 16, 2013, the Plaintiff was lawfully operating a dump truck when he went over a railroad crossing maintained by the Defendant on State Highway 246 in Vanderfoot, Arkansas. The crossing was negligently maintained, causing the Plaintiff to bounce out of his seat in his vehicle, permanently injuring his back. The negligence of the Defendant is the proximate cause of the Plaintiff's injuries.
5. As a result of the Defendant's negligence, the Plaintiff has suffered painful and permanent personal injuries, incurred medical bills, will incur medical bills in the future, has

EXHIBIT

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experienced pain and suffering, will incur pain and suffering in the future, and has become permanently disabled.

WHEREFORE, the Plaintiff prays for a judgment against the Defendant, in an amount in excess of the minimum amount for Federal Diversity of Citizenship cases (\$75,000) and for all other just and proper relief.

Respectfully submitted,

THE BRAD HENDRICKS LAW FIRM
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By: 

LLOYD W. "TRÉ" KITCHENS, AR Bar 99075